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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

5

Application Number

10/539,520

Filing Date

June 17, 2005

First Named Inventor

Rodriguez, et al.

Art Unit

3766

Examiner Name

N/A

Attorney Docket Number

ABG 3003

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Supplemental Petition, and Declaration showing the date received at the USPTO being 7/29/2005.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Kramer & Amado, P.C.		
Signature			
Printed name	Arlir M. Amado		
Date	4/21/08	Reg. No.	51,399

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Application No.: 10/539,520  
Attorney Docket No.: ABG 3003

**PATENT**

**IN THE UNITED STATE PATENT AND TRADEMARK OFFICE**

In re application of:	:	RODRIQUEZ, <i>et al.</i>
	:	
For:	:	ELECTRODE-BEARING GUIDE, COCHLEAR IMPLANT COMPRISING SAID GUIDE AND PRODUCTION METHOD THEREOF
	:	
Serial No.	:	10/539,520
	:	
Filed	:	June 17, 2005
	:	
Art Unit	:	3766
	:	
Examiner	:	Not Yet Assigned
	:	
Attorney Docket No.	:	ABG 3003
	:	
Confirmation No.	:	2914

**SUPPLEMENTAL PETITION TO CORRECT NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 37 C.F.R. 1.181**

Mail Stop Petition  
Attn: Ms. Erin P. Thomson  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This is a Supplemental Petition to Withdraw Notification of Missing Requirements Under 37 CFR 1.181 and corrects the record to indicate the 371(c)/U. filing date of July 29, 2005.

Applicants submit that, while the Notification of Missing Requirements states that a signed Declaration or Oath was never filed, a signed Declaration and Oath was filed on July 29, 2005, along

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with a surcharge of \$65.

Attached herewith is a copy of the Notice of Non-Recordation of Document mailed November 29, 2005 and received at our offices on December 12, 2005. The Notice was returned with the Assignment Recordation Transmittal, Executed Assignment, and the Executed Declaration. USPTO confirmation of receipt of the Executed Declaration is marked on the bottom of the two (2) pertinent pages.

In view of the above, Applicants request that this Petition be granted and the Notification of Missing Requirements be withdrawn to correct the record to indicate a filing date of July 29, 2005.


In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578.

Respectfully submitted,

April 21, 2008

Date

KRAMER & AMADO, P.C.  
1725 Duke Street  
Suite 240  
Alexandria, VA 22314  
Phone: 703-519-9801  
Fax: 703-519-9802



Arlir M. Amado  
Reg. No. 51,399



JUL-29-2005 16:25

AMER &amp; AMADO, P.C.

703 5199802

P.07

## PATENT APPLICATION

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION  
ATTORNEY DOCKET NO. ABG 3003 CUSTOMER NUMBER: 30868

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ELECTRODE-BEARING GUIDE, COCHLEAR IMPLANT COMPRISING SAID GUIDE AND PRODUCTION METHOD THEREOF

the specification of which is attached hereto unless the following box is checked:

(X) was filed on December 15, 2003 as PCT International Application Number PCT/ES2003/000632 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

**Foreign Application(s) and/or Claim of Foreign Priority**

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119	
Spain	ES P200202912	December 18, 2002	YES: X	NO:
			YES:	NO:

**Provisional Application**

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE

**U.S. Priority Claim**

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS (patented/pending/abandoned)

## PATENT APPLICATION

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION  
ATTORNEY DOCKET NO. ABG 3003 CUSTOMER NUMBER: 30868

## Power of Attorney:

As a named inventor, I hereby appoint the attorney(s) and/or agent(s) under Customer Number 30868 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Manuel Manrique RodríguezCitizenship: SpainResidence: Avda. Pío XII, 53. E-31008 - PAMPLONA-NAVARRA, SpainPost Office Address: SameX [Signature]  
Inventor's Signature

Date

13 / June / 2005Full Name of Inventor: Francisco Javier Gracia GaudóCitizenship: SpainResidence: Avda. Pío XII, 53. E-31008 - PAMPLONA-NAVARRA, SpainPost Office Address: Same

Inventor's Signature

Date

13 / June / 2005[Signature]